

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. ENDIUS.SCP1C8	APPLICATION NO. 10/885,761
	APPLICANT Thomas W. Davison, et al.	
	FILING DATE October 15, 2003	GROUP 3783

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
✓	1	3,044,461	07/17/62	Murdock			
	2	3,789,852	02/05/74	Kim et al.			
	3	4,545,374	10/08/85	Jacobson			
	4	4,601,713	07/22/86	Fuqua			
	5	4,716,901	01/05/88	Jackson et al.			
	6	4,817,587	04/04/89	Janese			
	7	4,819,620	04/11/89	Okutsu			
	8	4,921,478	05/01/90	Solano et al.			
	9	4,984,564	01/15/91	Yuen			
	10	5,025,778	06/25/91	Silverstein et al.			
	11	5,131,382	07/21/92	Meyer			
	12	5,139,499	08/18/92	Small et al.			
	13	5,163,949	11/17/92	Bonutti			
	14	5,171,279	12/15/92	Mathews			
	15	5,190,561	03/02/93	Graber			
	16	5,195,541	03/23/93	Obenchain			
	17	5,197,971	03/30/93	Bonutti			
	18	5,224,680	07/06/93	Greenstein et al.			
	19	5,287,845	02/22/94	Faul et al.			
	20	5,295,994	03/22/94	Bonutti			
	21	5,312,417	05/17/94	Wilk			
	22	5,354,302	10/11/94	Ko			
	23	5,370,647	12/06/94	Graber et al.			
	24	5,395,317	03/07/95	Kambin			
	25	5,439,464	08/08/95	Shapiro			
	26	5,454,365	10/03/95	Bonutti			
	27	5,472,426	12/05/95	Bonati et al.			

EXAMINER	DATE CONSIDERED
	5/21/07

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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VN	28	5,484,437	01/16/96	Michelson			
	29	5,489,307	02/06/96	Kuslich et al.			
	30	5,520,607	05/28/96	Frassica et al.			
	31	5,571,072	11/05/96	Kronner			
	32	5,575,754	11/19/96	Konomura			
	33	5,601,590	02/11/97	Gauld et al.			
	34	5,667,520	09/16/97	Bonutti			
	35	5,707,359	01/13/98	Bufalini			
	36	5,762,269	06/09/98	Kambin			
	37	5,792,044	08/11/98	Foley et al.			
	38	5,795,289	08/18/98	Wytenbach			
	39	5,827,319	10/27/98	Carlson et al.			
	40	5,902,231	05/11/99	Foley et al.			
	41	5,954,635	09/21/99	Foley et al.			
	42	5,961,499	10/05/99	Bonutti et al.			
	43	5,997,508	12/07/99	Lunn et al.			
	44	6,120,437	09/19/00	Yoon et al.			
	45	6,162,236	12/19/00	Osada			
	46	6,171,299 B1	01/09/01	Bonutti			
	47	6,187,000 B1	02/13/01	Davison et al.			
	48	6,306,170 B2	10/23/01	Ray			
	49	6,312,443 B1	11/06/01	Stone			
	50	6,338,730 B1	01/15/02	Bonutti et al.			
	51	6,358,226 B1	03/19/02	Ryan			
	52	6,361,488 B1	03/26/02	Davison et al.			
	53	6,371,968 B1	04/16/02	Kogasaka et al.			
	54	6,383,195 B1	05/07/02	Richard			

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
VP	55	6,494,893 B2	12/17/02	Dubrul et al.			
	56	6,497,654 B1	12/24/02	Leonard et al.			
	57	6,524,320 B2	02/25/03	DiPoto			
	58	6,530,880 B2	03/11/03	Pagliuca			
	59	6,530,926 B1	03/11/03	Davison			
	60	6,564,078 B1	05/13/02	Marino et al.			
	61	6,589,225 B2	07/08/03	Orth et al.			
	62	6,620,129 B2	09/16/03	Stecker et al.			
	63	6,652,553 B2	11/25/03	Davison et al.			
	64	2001/0011170 A1	08/02/01	Davison et al.			
	65	2003/0014068 A1	01/16/03	Bonutti et al.			
	66	2003/0040656 A1	02/27/03	Pagliuca et al.			
	67	2003/0073998 A1	04/17/03	Pagliuca et al.			
	68	2003/0083688 A1	05/01/03	Simonson			
	69	2003/0083689 A1	05/01/03	Simonson			
	70	2003/0139648 A1	07/24/03	Foley et al.			
	71	2003/0153927 A1	08/14/03	DiPoto et al.			
	72	2003/0191371 A1	10/09/03	Smith et al.			
	73	2003/0195405 A1	10/16/03	Marino et al.			
	74	2003/0195493 A1	10/16/03	Davison et al.			
	75	2003/0195549 A1	10/16/03	Davison et al.			
	76	2003/0195550 A1	10/16/03	Davison et al.			
	77	2003/0195551 A1	10/16/03	Davison et al.			
	78	2003/0199871 A1	10/23/03	Foley et al.			
	79	2003/0199885 A1	10/23/03	Davison et al.			
	80	2004/0059339 A1	03/25/04	Roehm, III et al.			

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Thomas W. Davison, et al.	
		FILING DATE October 15, 2003	GROUP 3763

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
VN	81	2004/0078051 A1	04/22/04	Davison et al.		2	2
	82	2004/0093002 A1	05/13/04	Davison et al.			
	83	2004/0098012 A1	05/20/04	Davison et al.			

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
VN	84	EP 0 528 562 A2	02/24/93	European Patent Office				
	85	EP 0 807 415 A3*	08/12/98	European Patent Office				
	86	EP 0 980 677 A1	02/23/00	European Patent Office				
	87	EP 1 251 767 A2	10/30/02	European Patent Office				
	88	EP 1 305 077 A1	05/02/03	European Patent Office				
	89	FR 2 701 379	06/19/94	Destandau				X
	90	JP 2000-83960 A2	03/28/00	Japanese Patent Office				X
	91	JP 2001-149376 A2	06/05/01	Japanese Patent Office				X
	92	WO 01/54560 A3	08/02/01	Patent Cooperation Treaty				
	93	WO 02/09801 A1	02/07/02	Patent Cooperation Treaty				
	94	WO 02/078767 A2	10/10/02	Patent Cooperation Treaty				
	95	WO 92/21292 A2	02/18/93	Patent Cooperation Treaty				
	96	WO 93/14801 A1	08/05/93	Patent Cooperation Treaty				
	97	WO 94/03114 A1	02/17/94	Patent Cooperation Treaty				
	98	WO 95/10218 A1	04/20/95	Patent Cooperation Treaty				
	99	WO 95/22285 A1	08/24/95	Patent Cooperation Treaty				
	100	WO 95/32663 A1	12/07/95	Patent Cooperation Treaty				
	101	WO 03/07783 A2	01/30/03	Patent Cooperation Treaty				

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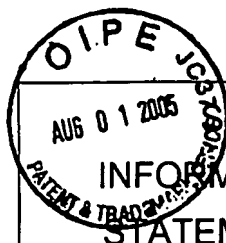
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EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
✓	102	Parviz Kambin, MD and Jonathan L. Schaffer, MD, <i>Lumbosacral and Spinopelvic Fixation</i> , 44:565-577, 1996, "Arthroscopic Fusion of the Lumbosacral Spine"
	103	Parviz Kambin, <i>Arthroscopic Lumbar Interbody Fusion</i> , 77:1055-1066
	104	Parviz Kambin, <i>The Adult Spine: Principles and Practice</i> , 2d, 95:2037-2047, 1997, "Arthroscopic Lumbar Intervertebral Fusion"
	105	Parviz Kambin, <i>The Adult Spine: Principles and Practice</i> , 2d, 94:2023-2036, 1997, "Arthroscopic Microdiscectomy"
8	106	Parviz Kambin, <i>Operative Arthroscopy, Second Edition</i> , 89:1215-1225, 1996, "Arthroscopic Techniques for Spinal Surgery"

- Pursuant to 37 C.F.R. § 1.98(d), a copy of this reference was previously provided in the parent application, U.S. Application Serial No. 09/137,335. An additional copy is not enclosed.

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EXAMINER	<div style="text-align: center;">(VW)</div> <div style="text-align: right;">DATE CONSIDERED 5/21/07</div>
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PTO/SB/08 Equivalent

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Multiple sheets used when necessary)	Application No.	10/685,761
	Filing Date	October 15, 2003
	First Named Inventor	Davison et al.
	Art Unit	3763
SHEET 1 OF 3	Examiner	Unknown
	Attorney Docket No.	ENDIUS.5CPIC8

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
VP	1	1,170,324	02-01-1916	Pomerene	
	2	3,503,398	03-31-1970	Fogarty et al.	
	3	4,449,532	05-22-1984	Storz	
	4	4,451,256	05-29-1984	Weigl et al.	
	5	4,573,448	03-04-1986	Kamblin	
	6	4,611,594	09-16-1986	Grayhack et al.	
	7	4,617,929	10-21-1986	Gill et al.	
	8	4,863,133	09-05-1989	Bonnell	
	9	4,899,729	02-01-1990	Gill et al.	
	10	5,139,511	08-01-1992	Gill et al.	
	11	5,196,023	03-01-1993	Martin	
	12	5,232,443	08-01-1993	Leach	
	13	5,313,962	05-01-1994	Obenchain	
	14	5,370,659	12-01-1994	Sakashita	
	15	5,417,203	05-01-1995	Tovey et al.	
	16	5,443,479	08-01-1995	Bressi, Jr.	
	17	5,490,819	02-01-1996	Nicholas et al.	
	18	5,529,571	06-01-1996	Daniel	
	19	5,556,376	09-01-1996	Yoon	
	20	5,601,690	02-11-1997	Gauld et al.	
	21	5,643,282	07-01-1997	Kleturakis	
	22	5,649,902	07-01-1997	Yoon et al.	
	23	5,690,606	11-01-1997	Slotman	
	24	5,762,629	06-09-1998	Kamblin	
	25	5,782,919	07-01-1998	Zdeblick et al.	
	26	5,851,214	12-01-1998	Larsen et al.	
	27	5,865,802	02-01-1999	Yoon et al.	
	28	5,976,161	11-02-1999	Kirsch et al.	

Examiner Signature <u>VP</u>	Date Considered <u>5/21/07</u>
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	Filing Date	October 15, 2003
	First Named Inventor	Davison et al.
	Art Unit	3763
SHEET 2 OF 3		Attorney Docket No. ENDIUS.SCP1C8

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
VP	29	6,126,671	10-03-2000	Richards et al.	
	30	6,152,871	11-28-2000	Foley et al.	
	31	6,175,758	01-16-2001	Kambin	
	32	6,254,628	07-03-2001	Wallace et al.	
	33	6,648,888	11-18-2003	Shluzas	
	34	6,652,553	11-25-2003	Davison et al.	
	35	6,800,084	10-05-2004	Davison et al.	
	36	6,811,558	11-02-2004	Davison et al.	
	37	6,837,891	01-04-2005	Davison et al.	
	38	2001/0049498 A1	12-06-2001	Davison et al.	
	39	2002/0002360 A1	01-03-2002	Orth et al.	
	40	2003/0009130 A1	01-09-2003	Stecker et al.	
	41	2003/0153911 A1	08-14-2003	Shluzas	
	42	2003/0167058 A1	09-04-2003	Shluzas	
	43	2003/0236529 A1	12-25-2003	Shluzas et al.	
	44	2004/0097907 A1	05-20-2004	DiPoto, Gene P.	
	45	2004/0133201 A1	07-08-2004	Shluzas et al.	
	46	2004/0236317 A1	11-25-2004	Davison, Thomas W.	
	47	2005/0075540 A1	04-07-2005	Shluzas et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
VP	48	EP 0 807 415 A2	11-19-1997	Olympus Optical Co., Ltd.	T ¹ 2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
VP	49	"Diagnostic and Therapeutic Spinal Arthroscopy" by Kambin, Neurosurgery Clinics of North America, Vol. 7, No. 1, pgs. 65-76 (1/1996)	2

Examiner Signature	(VP)	Date Considered	5/21/07
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	Art Unit	3763
SHEET 3 OF 3		Attorney Docket No. ENDIUS.5CP1C8

NON PATENT LITERATURE DOCUMENTS

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✓	50	"The Role of Minimally Invasive Surgery in Spinal Disorders" by Kambin, <i>Advances in Operative Orthopedics</i> , Vol. 3, pgs. 147-171 (1995)	
	51	"Arthroscopic Microdiscectomy" by Kambin, <i>Mount Sinai J. of Medicine</i> , Pgs. 159-164 (3/1991)	
	52	Ditsworth, David A., M.D., <i>Surg Neurol</i> , 49; 588-598, 1998 "Endoscopic Transforaminal Lumbar Discectomy and Reconfiguration: A Postero-lateral Approach into the Spinal Canal"	
	53	Endius Marketing Bulletin, 2002, Atavi Atraumatic Spine Fusion System, "How do I decompress using Atavi System?"	
	54	Endius Marketing Bulletin, 2002, Atavi Atraumatic Spine Fusion System: "Minimally Invasive Update on Danek"	
	55	Foley, Kevin T., M.D., Gupta, Sanjay K., M.D., Justis, Jeff R., B.S., Sherman, Michael C., M.S., <i>Neurosurg Focus</i> , 10: 1-8, 2001 "Percutaneous pedicle screw fixation of the lumbar spine"	
	56	Guiot, Bernard H., M.D., Khoo, Larry T., M.D., Fessler, Richard G., M.D., Ph.D., <i>SPINE</i> , 27, 4: 432-438, 2002 "A Minimally Invasive Technique for Decompression of the Lumbar Spine"	
	57	Medtronic Sofamor Danek, <i>METRx MicroEndoscopic Discectomy</i> , 1999 "An Evolution in Minimally Invasive Spine Surgery"	
	58	Medtronic Sofamor Danek, <i>METRx MicroDiscectomy System</i> , 2000 "The Next Step in Minimally Invasive Discectomy Utilizing The Operating Microscope"	
	59	Medtronic Sofamor Danek, <i>METRx Microdiscectomy Surgical Technique</i> , 2001 as described by: Donald L. Hilton, Jr., M.D., F.A.C.S. and Sylvain Palmer, M.D., F.A.C.S.	
	60	Medtronic Sofamor Danek, <i>Orthopedics Today</i> , 1-20, 2002 "Minimal Access Spinal Technologies"	
	61	Stauber, Martin H., M.D., Bassett, George S., M.D., <i>SPINE</i> , 19, 1: 57-61, 1994 "Pedicle Screw Placement With Intraosseous Endoscopy"	
	62	"Posterolateral Percutaneous Lumbar Interbody Fusion", Parviz Kambin, Publisher Unknown, Chapter 9:117-121, Date Unknown	
	63	Amendment to U.S. Application No. 10/439,979, filed May 16, 2003, dated April 14, 2005; Notice of Allowance dated January 14, 2005; Response to Office Action dated October 5, 2004 (Atty. Docket: ENDIUS.5CP1C5)	
	64	Amendment to U.S. Application No. 10/686,063, filed October 15, 2003, dated March 31, 2005 (Atty. Docket: ENDIUS.027CPC1)	

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Examiner Signature	(✓)	Date Considered	5/21/07
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	Art Unit	3731	
Multiple sheets used when necessary		Examiner	Vi X. Nguyen
SHEET 1 OF 1		Attorney Docket No.	ENDIUS.SCPIC8

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
VP	1	5,279,564	01-18-1994	Taylor	
	2	5,817,062	10-06-1998	Flom, et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹
VP	3	AU-A-13672/95	09-14-1995	Spinecare Medical Group		

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VP	4	KAMBIN, PARVIZ, "Arthroscopic Lumbar Intervertebral Fusion," Adult Spine: Principles and Practice, pgs. 2037-2046 (1997)	
	5	KAMBIN, PARVIZ, "Arthroscopic Techniques for Spinal Surgery," Operative Arthroscopy, Second Edition, pgs. 1215-1225 (1996)	
	6	KAMBIN, PARVIZ, "Posterolateral Percutaneous Lumbar Interbody Fusion," publication unknown, Chapter 9:117-121, date unknown	
	7	MicroEndoscopic Discectomy System by Sofamor Danek USA, dated 1996 (Pages 1-33) A manual entitled "MED™"	
	8	KAMBIN, PARVIZ, MD, et al., "Arthroscopic Fusion of the Lumbosacral Spine", Lumbosacral and Spinopelvic Fixation, 1996, Chapter 44, pages 565-577, Lippincott-Raven Publishers, Philadelphia	
	9	CASPAR, WOLFHARD, M.D., et al. "The Caspar Microsurgical Discectomy and Comparison with a Conventional Standard Lumbar Disc Procedure," Neurosurgery, January 1991, pgs. 78-87, Vol. 28, Number 1, Williams & Wilkins, Baltimore, MD	

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(Multiple sheets used when necessary)	Examiner	Vi X. Nguyen
SHEET 1 OF 2	Attorney Docket No.	ENDIUS.5CP1C8

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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	18	U.S. App. No. 10/685,761 U.S. Pub. No. 2004-0078051	Filed 10-15-2003 Pub. 04-22-2004	Davison et al.	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application No.	10/685,761
	Filing Date	October 15, 2003
	First Named Inventor	Thomas W. Davison et al.
	Art Unit	3731
(Multiple sheets used when necessary)	Examiner	Vi X. Nguyen
SHEET 2 OF 2	Attorney Docket No.	ENDIUS.SCP1C8

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
WV	23	U.S. App. No. 10/912,453 U.S. Pub. No. 2005-0033297	Filed 08-05-2004 Pub. 02-10-2005	Davison	
	24	U.S. App. No. 10/916,871 U.S. Pub. No. 2005-0021030	Filed 08-12-2004 Pub. 01-27-2005	Pagliuca et al.	
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